

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A mobile communication base station device which conducts radio communication with a plurality of mobile apparatuses connected to an ATM network, comprising:

a wireless unit which conducts modulation and demodulation for communicating with a mobile apparatus through a wireless channel[[,]]; and

a coding and decoding unit which conducts coding into a wireless channel format for the communication through the wireless channel or conversely conducts decoding,

a channel control unit which conducts control such that a band of an ATM channel has a band instructed by a channel Qos management unit[[,]]; and

a wireless channel state monitoring unit which obtains state information of the wireless channel from said wireless unit and said coding and decoding unit to conduct monitoring, wherein the state information of the wireless channel is associated with a data rate of the wireless channel[[,]]; and

said channel Qos management unit which gives a channel control instruction based on the state information of the wireless channel notified by said wireless channel state monitoring unit to use a band of the ATM channel appropriate for the state of the wireless channel[[,]],

wherein said channel Qos management unit instructs said channel control unit to set priority to each data received from the plurality of mobile apparatuses according to a state of each wireless channel through which the data in question is transmitted and received and conduct relay through to said ATM channel based on the priority in question, and

wherein a higher priority is set to for relaying each data received to said ATM channel if the state of the wireless channel is below a predetermined threshold, and a lower priority is set to for relaying each data received to said ATM channel if the state of the wireless channel is above a predetermined threshold.

2. (Cancelled)

3. (Original) The mobile communication base station device as set forth in claim 1, wherein

    said coding and decoding unit, at the time of decoding data received from said wireless unit, stores time when the decoding is started and at the time of relaying data to said channel control unit, transfers the data together with said time information, and

    said channel control unit conducts control to abandon data whose delay exceeds a delay time designated by an instruction from said channel Qos management unit.

4. (Canceled)

5. (Currently Amended) A Qos control method in a mobile communication base station device having a wireless unit which conducts modulation and demodulation for communicating with a mobile apparatus through a wireless channel, a coding and decoding unit which conducts coding into a wireless channel format for the communication through the wireless channel or conversely conducts decoding, and a channel control unit which controls an ATM channel band to execute radio communication with a plurality of mobile apparatuses connected to an ATM network, comprising the steps of:

    obtaining state information of the wireless channel, wherein the state information of the wireless channel is associated with a data rate of the wireless channel[[],]; and

    giving a channel control instruction based on the obtained state information of the wireless channel to use a band of the ATM channel appropriate for the state of the wireless channel[[],], and

    wherein the channel control instruction provides an instruction to set priority to each data received from the plurality of mobile apparatuses according to a state of each wireless channel through which the data in question is transmitted and received and conduct relay through to said ATM channel based on the priority in question, and wherein a higher priority is set to for relaying each data received to said ATM channel if the state of the wireless channel is below a predetermined threshold, and a lower priority is set to for relaying each data received to said ATM channel if the state of the wireless channel is above a predetermined threshold.

6. (Currently Amended) A Qos control method in a mobile communication base station device having a wireless unit which conducts modulation and demodulation for communicating with a mobile apparatus through a wireless channel, a coding and decoding unit which conducts coding into a wireless channel format for the communication through the wireless channel or conversely conducts decoding, and a channel control unit which controls an ATM channel band to execute radio communication with a plurality of mobile apparatuses connected to an ATM network, comprising:

a wireless channel state monitoring step of obtaining state information of the wireless channel from said wireless unit, wherein the state information of the wireless channel is associated with a data rate of the wireless channel, and said coding and decoding unit to conduct monitoring[[,]]; and

a channel Qos management step of giving a channel control instruction based on the state information of the wireless channel notified by said wireless channel state monitoring step to use a band of the ATM channel appropriate for the state of the wireless channel[[;]],

wherein said channel Qos management step instructs said channel control unit to set priority to each data received from the plurality of mobile apparatuses according to a state of each wireless channel through which the data in question is transmitted and received and conduct relay ~~through to~~ said ATM channel based on the priority in question, and wherein a higher priority is set ~~to~~ for relaying each data received to said ATM channel if the state of the wireless channel is below a predetermined threshold, and a lower priority is set ~~to~~ for relaying each data received to said ATM channel if the state of the wireless channel is above a predetermined threshold.

7. (Canceled)

8. (Original) The Qos control method as set forth in claim 6, further comprising:

a delay time management step of controlling said coding and decoding unit to, at the time of decoding data received from said wireless unit, store time when the decoding is started and at the time of relaying data to said channel control unit, transfer the data together with said time information, and

a data abandonment control step of controlling said channel control unit to abandon data whose delay exceeds a designated delay time.

9. (Canceled)

10. (Currently Amended) A Qos control program in a mobile communication base station device having a wireless unit which conducts modulation and demodulation for communicating with a mobile apparatus through a wireless channel, a coding and decoding unit which conducts coding into a wireless channel format for the communication through the wireless channel or conversely conducts decoding, and a channel control unit which controls an ATM channel band to execute radio communication with a plurality of mobile apparatuses connected to an ATM network, comprising:

a wireless channel state monitoring function of obtaining state information of the wireless channel from said wireless unit, wherein the state information of the wireless channel is ~~associated with~~ a data rate of the wireless channel, and said coding and decoding unit to conduct monitoring[[],]; and

a channel Qos management function of giving a channel control instruction based on the state information of the wireless channel notified by said wireless channel state monitoring function to use a band of the ATM channel appropriate for the state of the wireless channel[[],],

wherein said channel Qos management function instructs said channel control unit to set priority to each data received from the plurality of mobile apparatuses according to a state of each wireless channel through which the data in question is transmitted and received and conduct relay ~~through to~~ said ATM channel based on the priority in question, and wherein a higher priority is set ~~to~~ for relaying each data received to said ATM channel if the state of the wireless channel is below a predetermined threshold, and a lower priority is set ~~to~~ for relaying each data received to said ATM channel if the state of the wireless channel is above a predetermined threshold.

11. (Canceled)

12. (Original) The Qos control program as set forth in claim 10, which executes:

a delay time management function of controlling said coding and decoding unit to, at the time of decoding data received from said wireless unit, store time when the decoding is started and at the time of relaying data to said channel control unit, transfer the data together with said time information, and

a data abandonment control function of controlling said channel control unit to abandon data whose delay exceeds a designated delay time.

13. (Canceled)